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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JEFF NARDINELLI
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S MOTION *IN LIMINE* NO. 14**

1 I, Jeffrey W. Nardinelli, hereby declare as follows.

2 1. I am a member of the bar of the State of California and an associate with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC ("Waymo"). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. Attached as Exhibit 1 is a true and correct copy of transcript excerpts from the
7 Video-Recorded Deposition Of Anthony Levandowski, taken on August 22, 2017 and filed under
8 seal.

9 3. Attached as Exhibit 2 is a true and correct copy of transcript excerpts from Otto
10 Trucking LLC's Videotaped 30(B)(6) Deposition of Pierre-Yves Droz, taken on August 22, 2017
11 and filed under seal.

12 4. Attached as Exhibit 3 is a true and correct copy of an email from Uber to its
13 executives and attorneys and Anthony Levandowski – i.e. [REDACTED] – inviting them to
14 discuss litigation strategy as late as May 3, 2017 – more than a month *after* Levandowski pled the
15 Fifth Amendment and purportedly refused to cooperate with Uber's investigation.

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct.

18 DATED: September 13, 2017

19 /s/ Jeff Nardinelli
Jeff Nardinelli

20
21 **SIGNATURE ATTESTATION**

22 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
23 filing of this document has been obtained from Jeff Nardinelli.

24
25 /s/ Charles K. Verhoeven
Charles K. Verhoeven